## REMARKS

### I. INTRODUCTION

In response to the Office Action dated December 12, 2005, the claims have not been amended. Claims 1-21 remain in the application. Re-examination and re-consideration of the application is requested.

### II. REAL PARTY IN INTEREST

The real party in interest is Autodesk, Inc., the assignee of the present application.

### III. RELATED APPEALS AND INTERFERENCES

There are no related appeals or interferences for the above-referenced parent application.

### IV. STATUS OF CLAIMS

Claims 1-21 are pending in the current application.

Claims 6, 12, and 18 have merely been objected to as being dependent upon a rejected base claim but would be allowable if rewritten in independent form.

Claims 1-3, 7-9, 13-15, and 19-21 stand rejected under 35 U.S.C. §102(b) as being anticipated by U.S. Patent No. 5,444,836 to Hollingsworth.

Claims 4, 10, and 16 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Hollingsworth in view of U.S. Patent No. 6,049,340 to Matsushita et al.

Claims 5, 11, and 17 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Hollingsworth in view of U.S. Patent No. 6,025,849 to Felser et al.

Applicants request review of all of these rejections.

### V. STATUS OF AMENDMENTS

The claims have not been amended in response to the Office Action.

### VI. SUMMARY OF CLAIMED SUBJECT MATTER

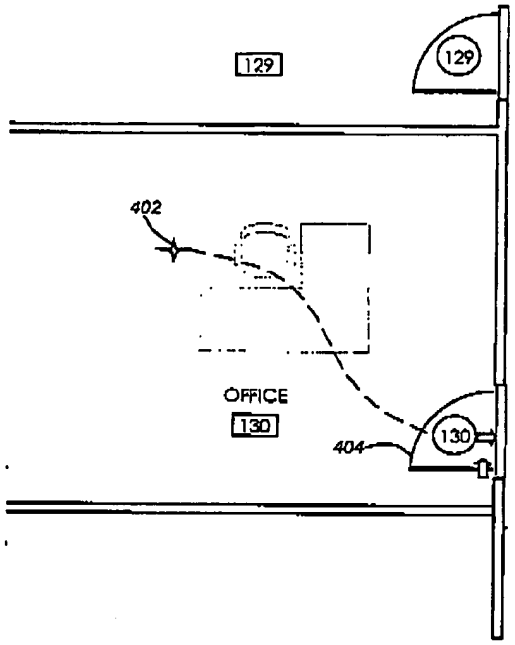
Independent claims 1, 7, and 13 are generally directed to determining/specifying a location for an object within a drawing. Specifically, a drawing (in a drawing program) is obtained. The

drawing has two or more existing object that each comprise a collection of graphical elements. One of the existing objects in the drawing is identified and an automatic location property is defined for the identified object. The claims explicitly provide and define the automatic location property. First, the automatic location property is defined without moving the identified already existing object. Secondly, the automatic location property provides a location, within the drawing, for the identified object with respect to another object, area, or space. Additionally, a value for a property of the identified object is obtained from property data of the other object, area, or space where and based on the location of the identified object. Accordingly, a location property for an object provides a location for the object wherein the location value is based on data from another object, area, or space that the object is associated with.

In addition, Applicants note that the "location" is not the actual physical location of the object or how to place the object (via a set of rules). Instead, the "location" is an actual specified identified location for the object that is defined without moving or placing the object. In other words, as used in the dependent claims, the "location" may be established merely by moving the location grip which does not move the object itself (see dependent claim 6). Instead, the "location" of the object is merely identified as on or within another object, area, or space.

Applicants direct the attention of the Patent Office to FIG. 4:

FIG. 4




In FIG. 4, the object is identified as object 404. However, the location of the object is at location grip 402. Thus, the "location" of door object 404 is not set when the door is placed in the drawing, but after the door has been placed in the drawing (i.e., an existing drawing is obtained). Further, the claims explicitly provide that the location 402 is defined without moving the door object 404 itself.

## VII. GROUNDS OF REJECTION TO BE REVIEWED

Whether claims 1-3, 7-9, 13-15, and 19-21 are patentable under 35 U.S.C. §102(b) in view of U.S. Patent No. 5,444,836 to Hollingsworth.

Whether claims 4, 10, and 16 are patentable under 35 U.S.C. §103(a) over Hollingsworth in view of U.S. Patent No. 6,049,340 to Matsushita et al.

Whether claims 5, 11, and 17 are patentable under 35 U.S.C. §103(a) over Hollingsworth in view of U.S. Patent No. 6,025,849 to Felser et al.

VIII. ARGUMENT

A. Independent Claims 1, 7, and 13 Are Patentable Over the Cited Art

In paragraph (1) of the Office Action, claims 1-3, 7-9, 13-15, and 19-21 were rejected under 35 U.S.C. §102(b) as being anticipated by Hollingsworth et al., U.S. Patent No. 5,444,836 (Hollingsworth).

Specifically, the independent claims were rejected as follows:

> In regards to claims **1, 7, 13, 19-21** –
> Hollingsworth et al. discloses an apparatus and method for creating and applying flexible, user defined rules for placement of graphical objects in a computer aided drafting (CAD) application. The placement subsystem (100) and its relationship to other subsystems are shown in Fig. 1. Placement subsystem (100) communicates with database subsystem (102) over bidirectional communication link (110) to retrieve information and attributes associated with graphical objects to be placed on a graphical image. Database subsystem (102) may represent any database means capable of storing and retrieving information (claim **13, 21**: storage medium readable by computer). Placement subsystem (100) manipulates the information retrieved from database subsystem (102) by applying user-defined rules to determine the proper placement of the graphical objects on the graphical image (claims **1.c.i-ii, 7.b.iii.1-2., 13.c.i-ii, 19-21**) [col. 4, lines 64-66]. Placement subsystem (100) then communicates with drawing subsystem (104) over communication link (112) to instruct drawing subsystem (104) where to draw each graphical object on the graphical image [col. 4, lines 66-68]. Drawing subsystem (104) transforms information to graphical output device (106) over communication link (114) to create the desired graphical image (claims **1.a., 7.b.i., 13.a., 19-21**). The resulting graphical image constructed by graphical output device (106) shows the graphical objects placed on the graphical image according to the user defined rules manipulated by placement subsystem (100) [col. 5, lines 1-8]. As shown in Fig. 2, these subsystems (100) (102) (104) may coexist on a common computer system (210) (claims **7, 20**: a computer having memory) [col. 5, line 14]. The rule-processing component (200) represents the rule application (claim **7.b.**) means for automatically reading and applying the placement rules defined by the user of the rule definition means [col. 5, lines 58-61]. Graphical objects may be lines, symbols, geometric shapes, text, or other constructs which are to be placed on the graphical image (claims **1.b., 7.b.ii., 13.b.**) [col. 1, lines 24-26].

Applicant traverses the above rejections for one or more of the following reasons:

(1) Hollingsworth, Matsushita, and Felser do not teach, disclose or suggest defining a location property, without moving an object, wherein the object is part of a drawing that has been obtained;

(2) Hollingsworth, Matsushita, and Felser do not teach, disclose or suggest a location property that provides a location within a drawing for an object with respect to another object, area, or space; and

(3) Hollingsworth fails to teach, disclose or suggest a value for a property of one or more objects from another object area or space that is based on the location of the object (i.e., as specified in the automatic location property).

Applicants submit that there is a clear differentiation between the term "location" as used in the claims and the specification verses that used in Hollingsworth as cited in the Office Action. Such a difference is clearly set forth in the claims. Namely, the "location" is not the actual physical location of the object or how to place the object (via a set of rules) as in Hollingsworth. Instead, the "location" is an actual specified identified location for the object that is defined without moving or placing the object. The "location" of the object is merely identified as on or within another object, area, or space.

As described above, the current claim language and limitations are clearly distinguishable from that of Hollingsworth wherein the Patent Office has equated the location property with the actual location and placement of the object itself. The Office Action submits that the placement rules establish the other objects and the values of the property of the identified object with respect to another object, area, or space. However, as amended, the present claims cannot and do not read on Hollingsworth. Firstly, a drawing having existing objects is obtained. In other words, objects are not being placed into the drawing. In addition, one of the existing objects is identified and an automatic location property for the identified existing object is defined without moving the object. Such a defining of a "location" without moving the object itself and for an object that already exists in a drawing clearly differentiates the present invention from Hollingsworth.

Again the present invention is not directed towards placing an object in a drawing or placement rules. Instead, the location property reflects an entirely different concept from that of placement rules. In this regard, Applicant is entitled to be its own lexicographer and the specification must be relied upon to determine the definition of a particular term. The Office Action is attempting to equate the claimed term "location" with a location as used in Hollingsworth that is wholly inconsistent with the defined use in the present specification and as set forth in the claims. Accordingly, Applicants submit that the interpretation of the claims and Hollingsworth is improper.

In addition to the above, the claim attributes provide the unique ability to define the location of the object within a drawing based on other/nearby objects, areas, or spaces. The dependent

claims set forth further details regarding the location. Further, the dependent claims provide additional limitations that reflect the location based attributes of the location property. For example, dependent claims 19-21 provide for automatically retrieving data for the one or more objects from the other object, area, or space where the one or more objects are located. In other words, when the location property provides that the one or more objects reside with or are associated with a particular object, area, or space, data for the one or more objects are automatically retrieved from the particular object, area, or space it is associated with (i.e., where it is located).

In response to the above arguments, the Office Action essentially repeated the prior rejections. Applicants respectfully traverse such rejections. Firstly, the independent claims were rejected under 35 U.S.C. §102 and not §103. Thus, the standard for rejection is that of anticipation and not obviousness.

Applicants respectfully traverse the rejection under 35 U.S.C. § 102(b) because the disclosure of Hollingsworth fails to meet the threshold for anticipation, i.e. placing the public in possession of the claimed invention. Specifically, anticipation under 35 U.S.C. § 102 has strict requirements that all elements of the claim must be found in a single reference in order to support an anticipation rejection (see e.g. M.P.E.P. 2131). A claim is anticipated only when a single prior art reference discloses each and every limitation in the claim. See, e.g., *Glaxo Inc. v. Novopharm Ltd.*, 34 USPQ2d 1565 (Fed. Cir. 1995). The Office Action is attempting to utilize and read aspects of Hollingsworth beyond the actual description of Hollingsworth. Specifically, there is not even a remote possibility that a location for an object that is already in a drawing is defined without moving the object itself. Such a claim limitation does not describe nor allude to the placement of the object in the drawing because the object is already in the drawing. Thus, Hollingsworth clearly fails to meet the burden under anticipation of 35 U.S.C. §102.

In addition, the Office Action has failed to establish a prima facie case of obviousness. Under MPEP §2142 and 2143.03 "To establish *prima facie* obviousness of a claimed invention, all the claim limitations must be taught or suggested by the prior art. *In re Royka*, 490 F.2d 981, 180 USPQ 580 (CCPA 1974). "All words in a claim must be considered in judging the patentability of that claim against the prior art." *In re Wilson*, 424 F.2d 1382, 1385, 165 USPQ 494, 496 (CCPA 1970)." The Office Action has simply ignored the limitation "a value of a property of the identified object is obtained from property data of the other object, area, or space based on the location of the

identified object". Instead, the Action completely fails to address this claim element. In attempting to reject this element, the Office Action merely states that Hollingsworth placement subsystem (100) manipulates information retrieved from a database subsystem (102) by applying user-defined rules to determine the proper placement of the graphical objects on the graphical image. Again, the placement of an object is expressly excluded from the claims since the object is already in the drawing. Further, the value of the property being obtained from another object is not hinted at or described in the Office Action or Hollingsworth.

In the Response to Arguments section, the Office Action provides:

> Applicant argues the "location" as set forth in the pending claims differs from the "location used in the prior art rejections (Hollingsworth, Matsushita, Felser). Examiner respectfully disagrees. The difference of Applicant's "location" versus the prior art is not defined or brought out and thus does not distinguish over the prior art. Furthermore, Applicants states on page 7 of the Remarks, 'Namely, the 'location' is not the actual physical location of the object or how to place the object...Instead, the 'location', is an actual specified identified location for the object that is defined without moving or placing the object." The "actual specified identified location" is the "physical location". The rules of Hollingsworth provides where the object should be placed without having to physically move the object to the location.

Applicants respectfully traverse such assertions. Firstly, the claim language is defined and brought out. Again, the claims first explicitly provide for obtaining a drawing that has numerous objects. Thereafter, without moving the object in the drawing, an automatic location property for is defined for the object. Such an automatic location property not only provides a location for the object with respect to another object, area, or space, but a value of the property of the object is obtained from property data of the other object, area, or space based on the location of the location. These claim limitations clearly bring out the differences with placing an object. Firstly, if an object is being placed into a drawing, it is being moved – whether by the user or automatically by the application itself. The claims explicitly preclude such a "placing" since the object is NOT moved.

The claims also define the location without moving the object itself. Further, the location is with respect to another object, area, or space and properties of the first object are obtained from properties of this other object, area, or space. Again, the mere fact that Hollingsworth is placing the object in the drawing is differentiable in at least two respects from the claim language. Firstly, the claims provide that the drawing already has objects that are not moved. Thus, an object is not being placed into the drawing. Secondly, the claimed location of the object is defined without moving the

object. Hollingsworth is placing an object in a drawing which by definition and all of the figures and description of Hollingsworth provides for moving the object in the drawing.

The Office Action expressly provides that the rules of Hollingsworth provides where the object should "be placed" without having to physically move the object to the location. Such an assertion is wholly without merit. In order to place an object into a drawing, the object must be moved! If the object is not moved, then it would remain outside of the drawing and not be a part of the drawing. Thus, to assert that placing an object in a drawing does not require the movement of the object at all is completely meritless and lacking of any support from Hollingsworth or any of the cited references.

In addition, the second aspect of the automatic location property is completely ignored in the Office Action. Namely, a value of a property of the object is obtained from property data of the other object, area, or space based on the location. No such property is even remotely alluded to, explicitly or implicitly, in Hollingsworth or any of the cited references. Such express claim language cannot merely be ignored.

B. Dependent Claims 4, 10, and 16 Are Patentable Over the Cited Art

The Office Action rejects dependent claims 4, 10, and 16 based on Hollingsworth and Matsushita. Applicants submit that such rejections are without merit. Nowhere in Matsushita is there any description of a determination of an automatic door number. In this regard, electronic searches of Matsushita for the terms "automatic" or "door number" provide no results whatsoever. Without even mentioning the term "automatic", Matsushita cannot possibly teach the automatic determination of a door number as claimed. The obviousness determination specified in the Office Action provides that the automatic placement reduced the burden on the user of manually applying complex drafting rules in creating or modifying graphical images. These dependent claims address the use of a door number that is automatically determined and not the automatic placement of a door. Further, the door number is based on a space where the door is located. No such construct or teaching is even remotely alluded to in either Matsushita or Hollingsworth.

In response to such earlier arguments, the final office Action submits that a figure may be placed at a desired position with a desired shape and the figure maybe a door as shown in Figs. 7, 8, 9, and 10 of Matsushita. However, while a door may be described in Matsushita, the claims do not

merely recite the use of a door. Instead, the claims explicitly refer to an automatic door number for the door based on a space the door is located in or near. Again, there is no door number, automatic door number, nor the automatic determination of a particular door number even remotely described in Matsushita. Further, Applicants submit that it would not be obvious to automatically label the doors via Hollingsworth's user-defined rules. In this regard, Hollingsworth also fails to even remotely describe an automatic door number or the determination of such a door number as explicitly claimed.

In response to these arguments, the Office Action provides:

> Although Hollingsworth in view of Matsushita does not explicitly disclose a door with an automatic number, it would have been obvious to distinguish and label a door or any object within the drawing. Furthermore, Matsushita defines rules for text string to rid the user the burden of having to do so.

Applicants respectfully traverses such assertions. Firstly, instead of basing the rejection on the references, the Office Action merely issues a conclusory statement that it would have been obvious. While distinguishing one door from another would be useful, the claims provide for significantly more than merely labeling a door. Instead, the claims explicitly provide that the automatic location property is used to create an automatic door number. Such an automatic door number is not even remotely alluded to in the cited references.

The claims further provide that the automatic door number is based on a space the door is located in or near. The Office Action merely ignores this aspect of the claim. Again, as set forth in the MPEP, all words of a claim must be considered. Further, Matsushita does not talk about a door number being based on a space the door is located near or even hint at such a teaching.

In view of the above, Applicants submit that these dependent claims are allowable over the cited art.

C. Dependent Claims 5, 11, and 17 Are Patentable Over the Cited Art

Dependent claims 5, 11, and 17 provide for the use of a location grip in determining the location of the object. Specifically, a location grip is displayed in a drawing and the position of the location grip within the drawing determines the location of the object. Such a feature again establishes clear nonobvious differences from the placement of objects described in Hollingsworth.

As described herein, the location grip that is displayed in the drawing is used to determine the location of the object. Further, the claims explicitly provide that the grip location determines where the value for the property of the object is obtained from. The Office Action rejects these claims based on Hollingsworth and Felser. However, both Hollingsworth and Felser completely lack any discussion, implicit or explicit of a grip. In fact, electronic searches of both Hollingsworth and Feler for the term "grip" provides no results whatsoever. Without even mentioning the word "grip", these references cannot possibly teach the specific use of a grip to determine a location of an object with respect to another object/area/space. The Office Action attempts to use Felser's handles and resizing to equate to the grips as claimed. However, handles and resizing directly manipulate the actual object and are not merely used as a location grip to specify a location for the object with respect to other objects/areas/spaces that is then used to determine a property value (as claimed).

In response to the above prior arguments, the final Office Action refers to Felser's handles that allow the direct manipulation of the shape object thereby allowing a user to stretch or otherwise resize the shape object. While such a handle for resizing an object is clearly useful, it is irrelevant with respect to the present claims. The grips of the presently claimed invention identify a "location" for the object and are not used to resize or place the object. In fact, as set forth in the dependent claims in view of the independent claims, the location of the object may be moved by moving the location grip without moving the object itself. Such a limitation is clearly distinguishable from that of both Hollingsworth and Felser. Applicants further disagree and traverse the assertion that Felser's graphical objects are the claimed grips. Again, the presently claimed grips are not used to place an object. Instead, they merely identify a "location" of the object without moving the object itself. Such a limitation is not even remotely similar to that of Felser or Hollingsworth.

Applicants further submit that the Office Action has failed to address these arguments as previously set forth. Accordingly, Applicants reassert these arguments herein.

## IX. Conclusion

In view of the above, Applicants submit that the cited art completely fails to teach, disclose, or suggest numerous aspects of both the independent and dependent claims. Moreover, the various elements of Applicants' claimed invention together provide operational advantages over

Hollingsworth, Matsushita, and Felser. In addition, Applicants' invention solves problems not recognized by Hollingsworth, Matsushita, and Felser.

Thus, Applicants submit that independent claims 1, 7, and 13 are allowable over Hollingsworth, Matsushita, and Felser. Further, dependent claims 2-6, 8-12, and 14-21 are submitted to be allowable over Hollingsworth, Matsushita, and Felser in the same manner, because they are dependent on independent claims 1, 7, and 13, respectively, and thus contain all the limitations of the independent claims. In addition, dependent claims 2-6, 8-12, and 14-21 recite additional novel elements not shown by Hollingsworth, Matsushita, and Felser.

In view of the above, it is submitted that this application is now in good order for allowance and such allowance is respectfully solicited. Should the Examiner believe minor matters still remain that can be resolved in a telephone interview, the Examiner is urged to call Applicants' undersigned attorney.

Respectfully submitted,

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